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TRANSMITTAL LETTER AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

ASSISTANT COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

RE: Attorney Docket No.: SIEM0020U/US
Application No.: 09/763,706
Filed: 2/23/01
Inventor: Klaus Gradischne
Group Art Unit: 2661
Examiner: Phirin Sam
Title: Signaling system of a signaling point

SIR:

Attached hereto for filing are the following papers:

PTOL-85
Remarks (1 page)
Replacement Sheets 1 & 3 (2 pages)
37 CFR 1.705 Petition (3 pages)
List of Exhibits (1 page)
Exhibit 1 (2 pages)

Our check in the amount of \$1600.00 is attached covering the required fees.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2106. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

7/21/2005
DATE

Robert G. Crockett
Robert G. Crockett
Registration No. 42,448
Attorney of Record

Printed: April 11, 2005 (2:55pm)

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NEIFELD Docket No.: SIEM0020U/US



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: Klaus Gradischnig CONF. NO: 9182
GROUP ART UNIT: 2661
SERIAL NO.: 09/763,706
FILED: 2/23/01
EXAMINER: TON, Anthony T.
FOR: Signaling system of a signaling point

ASSISTANT COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

REMARKS

In response to the Notice of Allowability mailed 5/17/2005, applicant submits replacement drawings 1 and 3.

Respectfully Submitted,

31518

PATENT TRADEMARK OFFICE

Date

7/21/2005

Robert G. Crockett

Robert G. Crockett
Registration No. 42,448
Attorneys of Record

RGC

Printed: May 31, 2005 (1:55pm)

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NEIFELD Docket No.: SIEM0020U/US



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: Klaus Gradischnig CONF. NO: 9182

GROUP ART UNIT: 2661

SERIAL NO.: 09/763,706

FILED: 2/23/01

EXAMINER: TON, Anthony T.

FOR: Signaling system of a signaling point

ASSISTANT COMMISSIONER FOR PATENTS

ALEXANDRIA, VA 22313

37 CFR 1.705 APPLICATION FOR PATENT TERM ADJUSTMENT

I. Statement of the Precise Relief Requested

The patentee requests that the Director change the notice of term extension under 35 USC 154(b) from 0 days to 935 days to correct the PTO's erroneous calculation.

II. Material Facts in Support of the Petition

1. The Director determined a 0 day patent term extension, as noted on the Notice of Allowance.
2. On February 23, 2001, the applicant filed a US national stage application under 35 USC 371.
3. On September 8, 2004, the examiner mailed a non-final rejection.

4. On December 8, 2004, the applicant filed a reply to the office action mailed September 8, 2004.

5. On May 17, 2005, the Patent Office mailed a notice of allowance.

III. Reasons Why the Relief Requested Should be Granted

A. Adjustment Due to PTO Delay

The term extension applicable under the 35 USC 154 is calculated as follows:

Application filed: February 23, 2001

First response by examiner mailed: September 8, 2004

35 USC 154(b)(1)(A)(i)(II) provides that the term of the patent shall be extended 1 day for each day that the PTO fails to respond with a first office action following 14 months after a filing under 35 USC 371

September 8, 2004 is 865 days following the 14-month period after the filing date of February 23, 2001.

35 USC 154(b)(1)(A)(ii) provides that the term of the patent shall be extended 1 day for each day that the PTO fails respond to a reply under section 132, or to an appeal taken under section 134, within 4 months after the date on which the reply was filed or the appeal was taken.

Reply to Office action filed: December 8, 2004

Response by examiner mailed: May 17, 2005

May 17, 2005 is 70 days following the 4-month period after the filing date of December 8, 2004.

B. Erroneous Calculation of Patent Term Extension by the PTO

The PTO calculated a patent term extension of 0 days under 35 USC 154(b).

IV. **Conclusion**

The Director should grant the petition to change the notice of term extension under 35 USC 154(b) from 0 days to 935 days.

V. **Fee under 37 CFR 1.18(e)**

A check in the amount of \$200 to cover the fee for filing an application for the patent term adjustment is submitted herewith.

Respectfully submitted,

7/21/2005
Date

Robert G. Crockett

Robert G. Crockett

Registration No: 42, 448

Attorney of Record

Printed: July 21, 2005 (1:06pm)

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List of Exhibits

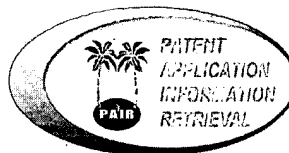
Exhibit 1: A copy of the USPTO web site's PAIR printout for United States Patent Application Number 09/830,588 showing the dates recorded by the USPTO for filing and mailing of papers in this application.



United States Patent and Trademark Office

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Search results as of: 7-21-2005::13:19:38 E.T.

Search results for application number:09/763,706

| | | | |
|-------------------------|---------------------------------------|----------------------------|---|
| Application Number: | 09/763,706 | Customer Number: | 31518 |
| Filing or 371(c) Date: | 02-23-2001 | Status: | Allowed -- Notice of Allowance Mailed -- Issue Revision Completed |
| Application Type: | Utility | Status Date: | 05-16-2005 |
| Examiner Name: | SAM, PHIRIN | Location: | ELECTRONIC |
| Group Art Unit: | 2661 | Location Date: | - |
| Confirmation Number: | 9182 | Earliest Publication No: | - |
| Attorney Docket Number: | SEIM0020U/US | Earliest Publication Date: | - |
| Class/ Sub-Class: | 370/496 | Patent Number: | - |
| First Named Inventor: | Klaus Gradischnig, Gauting, (DE) | Issue Date of Patent: | - |
| Title Of Invention: | SIGNALING SYSTEM OF A SIGNALING POINT | | |

Select Search Option

Assignments**Search**

Continuity Data

Display References

Foreign Priority

Image File Wrapper

Patent Term Extension History

File History

| Date | Contents Description |
|------------|---|
| 06-14-2005 | Mail Examiner's Amendment |
| 06-09-2005 | Examiner's Amendment Communication |
| 05-17-2005 | Mail Notice of Allowance |
| 05-17-2005 | Mail Formal Drawings Required |
| 05-17-2005 | Mail Examiner's Amendment |
| 05-13-2005 | Issue Revision Completed |
| 05-13-2005 | Formal Drawings Required |
| 05-13-2005 | Notice of Allowance Data Verification Completed |
| 05-13-2005 | Case Docketed to Examiner in GAU |
| 05-13-2005 | Examiner's Amendment Communication |

| | |
|------------|---|
| 05-13-2005 | Notice of Allowability |
| 04-11-2005 | Case Docketed to Examiner in GAU |
| 03-03-2005 | Date Forwarded to Examiner |
| 12-08-2004 | Response after Non-Final Action |
| 12-08-2004 | Workflow incoming amendment IFW |
| 09-08-2004 | Mail Non-Final Rejection |
| 09-03-2004 | Non-Final Rejection |
| 08-09-2004 | Case Docketed to Examiner in GAU |
| 08-03-2004 | IFW TSS Processing by Tech Center Complete |
| 08-03-2004 | Reference capture on IDS |
| 02-23-2001 | Information Disclosure Statement (IDS) Filed |
| 07-12-2004 | Case Docketed to Examiner in GAU |
| 06-16-2004 | Case Docketed to Examiner in GAU |
| 05-05-2004 | Case Docketed to Examiner in GAU |
| 01-30-2004 | Case Docketed to Examiner in GAU |
| 11-12-2002 | Case Docketed to Examiner in GAU |
| 10-04-2002 | Case Docketed to Examiner in GAU |
| 08-27-2002 | Correspondence Address Change |
| 08-28-2002 | Change in Power of Attorney (May Include Associate POA) |
| 02-23-2001 | Incoming Letter Pertaining to the Drawings |
| 02-23-2001 | Preliminary Amendment |
| 06-11-2001 | Case Docketed to Examiner in GAU |
| 04-19-2001 | Application Dispatched from OIPE |
| 04-13-2001 | IFW Scan & PACR Auto Security Review |
| 04-02-2001 | Released to OIPE |
| 04-03-2001 | Notice of DO/EO Acceptance Mailed |
| 04-01-2001 | 371 Application Preexamination Docketing |
| 04-01-2001 | 371 Application Preexamination Docketing |
| 03-23-2001 | 371 Application Preexamination Docketing |
| 02-23-2001 | Receipt of 371 Request |
| 03-23-2001 | Correspondence Address Change |
| 02-23-2001 | Initial Exam Team nn |

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